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		Application Number	10/777,020-Conf. #2206
		Filing Date	February 10, 2004
		First Named Inventor	Gregory B. Altshuler
		Art Unit	3739
		Examiner Name	Not Yet Assigned
Total Number of Pages in This Submission	6	Attorney Docket Number	105090-0234

ENCLOSURES (Check all that apply)

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Firm or Individual name	NUTTER MCCLENNEN & FISH LLP Kevin Cronin
Signature	
Date	January 25, 2005

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Attorney Docket No.: 105090-234

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Docket No.: 105090-0234
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Gregory B. Altshuler et al.

Application No.: 10/777,020

Confirmation No.: 2206

Filed: February 10, 2004

Art Unit: 3739

For: **CONFORMING ORAL PHOTOTHERAPY
APPLICATOR**

Examiner: Not Yet Assigned

INFORMATION DISCLOSURE STATEMENT (IDS)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed before the mailing date of a first Office Action on the merits as far as is known to the undersigned (37 CFR 1.97(b)(3)).

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 141449, under Order No. 105090-0234.

Dated: January 25, 2005

Respectfully submitted,

By 

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PTO/SB/08a/b (08-03)

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Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	10/777,020 – Conf. # 2206
				Filing Date	February 10, 2004
				First Named Inventor	Gregory B. Altshuler
				Art Unit	3739
				Examiner Name	Not Yet Assigned
Sheet	1	of	3	Attorney Docket Number	105090-0234

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	AA	US-1,590,283	06-29-1926	Catlin	
	AB	US-3,261,978	07-19-1966	Brenman	
	AC	US-3,667,454	06-06-1972	Prince	
	AD	US-4,333,197	01-08-1982	Kuris	
	AE	US-4,784,135	11-15-1988	Blum et al.	
	AF	US-4,930,504	06-05-1990	Diamantopoulos et al.	
	AG	US-5,030,090	07-09-1991	Maeda et al.	
	AH	US-5,171,564	12-15-1992	Nathoo et al.	
	AI	US-5,369,831	12-06-1994	Bock	
	AJ	US-5,561,881	10-08-1996	Klinger et al.	
	AK	US-5,611,793	03-18-1997	Wilson et al.	
	AL	US-5,616,140	04-01-1997	Prescott	
	AM	US-5,658,148	08-19-1997	Neuberger et al.	
	AN	US-5,673,451	10-07-1997	Moore et al.	
	AO	US-5,974,616	11-02-1999	Dreyfus	
	AP	US-6,026,828	02-22-2000	Altshuler	
	AQ	US-6,029,304	02-29-2000	Hulke et al.	
	AR	US-6,056,548	05-02-2000	Neuberger et al.	
	AS	US-6,086,363	07-11-2000	Moran et al.	
	AT	US-6,106,294	08-22-2000	Daniel	
	AU	US-6,135,774	10-24-2000	Hack et al.	
	AV	US-6,290,496	09-18-2001	Azar et al.	
	AW	US-6,387,353	05-14-2002	Jensen et al.	
	AX	US-6,471,716	10-29-2002	Pecukonis	
	AY	US-6,503,486	01-07-2003	Xu et al.	
	AZ	US-2002/0018754	02-14-2002	Sagel et al.	
	AA1	US-2002/0081555	06-27-2002	Wiesel	

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)			
	BA	CN 1073607 A	06-30-1993	Wang Wenhui	Abstract Only
	BB	DE 198 03 460 C1	08-12-1999	Hauptmann et al.	
	BC	EP 0 324 120 A1	07-19-1989	Hideo Suyama	
	BD	EP 0 563 953 A2	04-01-1993	Warnke	
	BE	EP 0 593 375 A1	10-15-1992	Levy	
	BF	EP 0 927 544 A2	07-07-1999	Altshuler	
	BG	JP 2174804 A2	07-06-1990	Fukaba Hiroshi	Abstract Only
	BH	JP 6022871 A2	02-01-1994	Niida Hideyo	Abstract Only
	BI	JP 10014661 A2	01-20-1998	Mogami Kinue	Abstract Only
	BJ	WO 95/10243	04-20-1995	Mendes et al.	
	BK	WO 98/06456	02-19-1998	Chen et al.	
	BL	WO 99/10046	03-04-1999	Biel	
	BM	WO 99/43387	02-09-1999	Azar et al.	
	BN	WO 99/62472	12-09-1999	Wolf	

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				Art Unit	3739
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Sheet	2	of	3	Attorney Docket Number	105090-0234

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NON PATENT LITERATURE DOCUMENTS				
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²	
	CA	SHUMILOVITCH et al., "Influence Of Low Intensity Laser Radiation Upon The Microflora Of Carious Cavities And Root Canal," SPIE Vol. 1984, pp. 215-220		
	CB	SANDFORD et al., "Thermal Effects During Desensitisation of Teeth with Gallium-Aluminum-Arsenide Lasers, University of Queensland Dental School, Periodontology 1994; 15:25-30		
	CC	FORREST-WINCHESTER et al., "The Effect of Infrared Laser Radiation on Dentinal Permeability in vitro, Department of Dentistry, University of Queensland Dental School, pp. 1-8, 1992		
	CD	POWELL, "Laser Dental Decay Prevention: does it have a future?" SPIE vol. 3192, 1997		
	CE	WESTERMAN et al., "Argon Laser Irradiation Effects on Sound Root Surfaces: <i>In Vitro</i> Scanning Electron Microscopic Observations," Journal of Clinical Laser Medicine and Surgery, Vol. 16, No. 2, pp. 111-115, 1998		
	CF	BLANKENAU et al., "In Vivo Caries-Like Lesion Prevention with Argon Laser: Pilot Study," Journal of Clinical Laser Medicine and Surgery, Vol. 17, No. 6, pp. 241-243, 1999		
	CG	HSU et al., "Combined Effects of Laser Irradiation/Solution Fluoride Ion on Enamel Demineralization," Journal of Clinical Laser Medicine and Surgery, Vol. 16, No. 2 pp. 93-105, 1998		
	CH	HICKS et al., "After Low Fluence Argon Laser and Fluoride Treatment," Compendium, Vol. 18, No. 6, June 1997		
	CI	HICKS et al., "Enamel Caries Initiation and Progression Following Low Fluence (energy) and Argon Laser and Fluoride Treatment," The Journal of Clinical Pediatric Dentistry, Vol. 20, No. 1 pp. 9-13, 1995		
	CJ	OLEINIK, et al., "Automatized Securing Definition for Laser Therapy Indications in Case of Non-complicated Caries," SPIE, Vol. 1984, pp.238-244		
	CK	KAZMINA, et al., "Laser Prophylaxis and Treatment of Primary Caries," SPIE Vol. 1984, pp. 231-233		
	CL	SOKOLOVA, et al., "Low-intense Laser Radiation in Complex Treatment of Inflammatory Diseases of Parodontium," SPIE Vol. 1984, pp. 234-237		
	CM	PETRISCHEV, et al. "Clinical and Experimental Low-Intensive Laser Therapy in Dentistry, SPIE, Vol. 1984, pp. 212-214		
	CN	MAMEDOVA, et al., "Microbiological Estimate of Parodontis Laser Therapy Efficiency, SPIE Vol. 1984, pp. 247-249		
	CO	KOZLOV, et al., "Lasers in Diagnostics and Treatment of Microcirculation Disorders Under Parodontitis," SPIE Vol. 1984, pp. 253-264		
	CP	KALIVRADZHIYAN, et al., "The Usage of Low Intensity Laser Radiation for the Treatment of the Inflammatory processes of the Oral Cavity Mucosa after Applying Removable Plate Dentures," SPIE Vol. 1984 pp. 225-230		
	CQ	WALSH, "Laser "Curettage": a Critical Analysis," Periodontology 14:4-12, 1993		
	CR	OZAWA, et al., "Stimulatory Effects of Low-Power Laser Irradiation on Bone Formation <i>in vitro</i> ," SPIE Vol. 1984, pp. 281-288		
	CS	SHIMIZU, et al., "Prospect of Relieving Pain Due to Tooth Movement During Orthodontic		

Examiner Signature	Date Considered
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				Art Unit	3739
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Sheet	3	of	3	Attorney Docket Number	105090-0234

		Treatment Utilizing a GA-Al-As Diode Laser," SPIE Vol. 1984, pp. 275-280	
CT		PETRISCHEV, et al., "Report on Low Intensity Laser Radiation Usage in Dentistry, SPIE Vol. 1984, pp. 202-211	
CU		KARU, "Photobiological Fundamentals of Low-Power Laser Therapy, 8 th Congress of International Society for Laser Surgery and Medicine, March 30, 1987	
CV		SCHINDL, "Does Low Intensity Laser Irradiation Really Cause Cell Damage?" Lasers in Surgery and Medicine Vol. 22, pp. 105, 2001	
CW		GROSSMAN, et al., "780 nm Low Power Diode Laser Irradiation Stimulates Proliferation of Keratinocyte Cultures: Involvement of Reactive Oxygen Species," Lasers in Surgery and Medicine Vol. 29, pp. 212-218, 1998	
CX		KARU, "Cell Attachment to Extracellular Matrices is Modulated by Pulsed Radiation at 820 nm and Chemicals that Modify the Activity of Enzymes in the Plasma Membrane," Lasers in Surgery and Medicine, Vol. 29, pp. 274-281, 2001	
CY		MAEGAWA, et al., "Effects of Near-Infrared Low-Level Laser Irradiation on Microcirculation," Lasers in Surgery and Medicine, Vol. 27, pp. 427-437, 2000	
CZ		VAN BREUGEL, "Power Density and Exposure Time of He-Ne Laser Irradiation Are More Important Than Total Energy Dose in Photo-Biomodulation of Human Fibroblasts in Vitro," Lasers in Surgery and Medicine, Vol. 12 pp. 528-537, 1992	
CA1		MANG, "Effect of Soft Laser Treatment on Wound Healing in the Hamster Oral Mucosa," American Society for Laser Medicine and Surgery Abstracts, Chapters 25, pp. 5-8,	
CB1		ALTSHULER, et al., "Modern Optics and Dentistry," Laser in Dentistry, pp. 283-297, 1995	
CD1		ALTSHULER, et al., "New Optical Effects in the Human Hard Tooth Tissues," Lasers and Medicine, Proc. SPIE Vol. 1353, pp. 97-102, 1989	
CE1		ALTSHULER, et al., "Human Tooth as an Optical Device," SPIE Vol. 1429 Holography and Interferometry and Optical Pattern Recognition in Biomedicine," pp. 95-104, 1991	
CF1		OHBAAYASHI, "Stimulatory Effect of Laser Irradiation on Calcified Nodule Formation in Human Dental Pulp Fibroblasts," ABSTRACT J-Endod. 1999 Jan; 25(1): 30-3	
CG1		ORCHARDSON, "Effect of Pulsed Nd:YAG Laser Radiation on Action Potential Conduction in Nerve Fibres Inside Teeth in vitro," ABSTRACT J-Dent. 1998 Jul-Aug; 26(5-6): 421-6	
CH1		DABROWSKA, "Intravital Treatment of the Pulp with Stimulation Laser Biostimulation," ABSTRACT Rocz-Akad-Med-Bialymst. 1997; 42(1): 168-76	
CI1		SING, "Electroacupuncture and Laser Stimulation Treatment: Evaluation by Somatosensory Evoked Potential in Conscious Rabbits," ABSTRACT AM-J-Chin-Med. 1997; 25(3-4): 263-71	
CJ1		WALSH, "The Current Status of Low Level Laser Therapy in Dentistry. Part 1. Soft Tissue Applications" paper prepared by LJ Walsh, Department of Dentistry University of Queensland, pp1-16. Publication date unknown.	
CK1		DIALOG ABSTRACT (English Language) of DE1920803460, Hauptmann, G., et al.	

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